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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

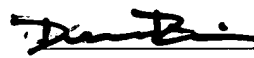
In re application of : Sandberg, et al.  
Serial No. : 09/580,893 Art Unit: 1653  
Filing Date : May 30, 2000  
Docket No. : 25812-14  
Title : ASPARAGINE CONTAINING ELASTIN PEPTIDE ANALOGS

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8\***

I hereby certify that this Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures is being deposited with the United States Postal Service with sufficient postage as "FIRST CLASS MAIL" in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

October 3, 2002  
(Date)

Duncan Poirier  
(type or print name of person mailing paper)

  
Signature

Documents Enclosed:

1. Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. A Copy of Notice to Comply
3. A hard copy of the correct sequencing;
4. A diskette containing the correct sequencing;
5. A Verification Statement;
6. A Petition for Extension of Time Under 37 CFR 1.136(a)
7. A Check for \$200.00
6. A self-addressed, stamped postcard, return of which is requested to acknowledge receipt of the Response.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lawrence B. Sandberg et al.  
Serial No.: 09/580,893 Art Unit: 1653  
Filed: May 30, 2000  
Title: ASPARAGINE CONTAINING ELASTIN PEPTIDE ANALOGS  
Docket No.: 25812-14

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR  
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Dear Sirs:

Submitted herewith, enclosed please find the following:

1. A copy of the Notice to Comply;
2. A hard copy of the correct sequence listing;
3. A diskette containing the correct sequence listing;
4. A Verification Statement;
5. A Certificate of Mailing;
6. A Petition for Extension of Time under 37 CFR 1.136(a);
7. A check in the amount of \$200.00
8. A self-addressed, stamped postcard, return of which is requested to acknowledge receipt of the Response.

In response to the Notice to Comply mailed on June 18, 2002, Applicant herewith submits the sequence listing requested in accordance with 37 C.F.R. 1.821 or 1.825, in both computer readable form and paper copy of same, along with a statement that the content of the

paper and computer readable copies are the same. A copy of the Notice to Comply is also enclosed for Examiner's convenience.

The Notice to Comply set a period for response of two months to expire August 18, 2002. Because this Response to Notice to Comply is being filed on October 3, 2002, a Petition for Extension of Time Under 37 CFR 1.136(a) is enclosed herewith, along with a check for \$200.00 for the Petition fee.


Please address all future correspondence to Customer No. 21130, at the following address:

**Attn. IP Department  
Benesch, Friedlander,  
Coplan & Aronoff LLP  
2300 BP Tower  
200 Public Square  
Cleveland, Ohio 44114-2378**

Though no fees are believed to be due, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayments to Deposit Account No. 02-2051.

Respectfully submitted,

BENESCH, FRIEDLANDER,  
COPLAN & ARONOFF LLP

By:   
W. Scott Harders  
Reg. No. 42,692  
2300 BP Tower  
200 Public Square  
Cleveland, Ohio 44114-2378  
(216) 363-4443



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/580,893	05/30/2000	Lawrence B. Sandberg	00-144-US

Raymond A Miller  
Reed Smith Shaw & McClay LLP  
P O Box 488  
Pittsburgh, PA 15230-0488

CONFIRMATION NO. 2093  
WITHDRAWAL NOTICE



Date Mailed: 06/18/2002

### WITHDRAWAL OF PREVIOUSLY SENT NOTICE

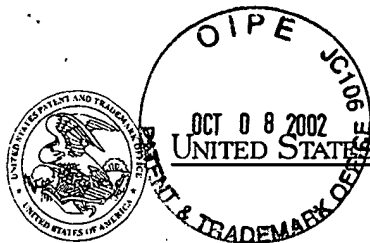
The Notice mailed on 04/25/2001 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



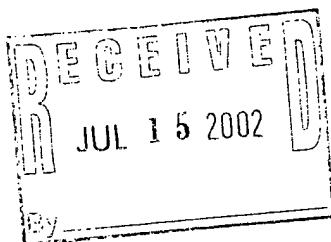
OCT 08 2002  
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/580,893	05/30/2000	Lawrence B. Sandberg	00-144-US

2582-14  
CONFIRMATION NO. 2093

Raymond A Miller  
Reed Smith Shaw & McClay LLP  
P O Box 488  
Pittsburgh, PA 15230-0488



#### FORMALITIES LETTER



\*OC00000008307805\*

Date Mailed: 06/18/2002

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

KLH

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**CRF Problem Report**

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number:

09/580,893C

Filing Date:

5/30/2002

Date Processed by STIC:

2/8/2002

STIC Contact: Mark Spencer, 703-308-4212

**Nature of Problem:**

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached) (DISK MCLTD)
- ☐ Blank (no files on CRF) (see attached)
- ☐ Empty file (filename present, but no bytes in file) (see attached)
- ☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.
- ☐ Not saved in ASCII text
- ☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should only be the Sequence Listing.
- ☐ Did not contain a Sequence Listing. (see attached sample)
- ☐ Other: \_\_\_\_\_

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<http://www.uspto.gov/ebs/efs/downloads/documents.htm>) , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name,  
Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two,  
2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office,  
Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002